



**MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY**

ALEX HINDS, DIRECTOR

September 28, 2004

Board of Supervisors and Planning Commission Members
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Joint Board of Supervisors / Planning Commission meeting on the Countywide Plan.

Dear Board and Planning Commission Members:

RECOMMENDATION:

1. Conduct public hearing and workshop
2. Discuss key issues and initial Planning Commission recommendations
3. Provide comments and general direction to assist in CEQA review

SUMMARY: The purpose of today's public hearing and workshop is to discuss the draft Countywide Plan, consider several initial Planning Commission recommendations, and provide comments and direction related to the Plan's desired "project description" to be evaluated in the environmental impact report.

BACKGROUND: In 2000 the Board of Supervisors approved a work program and public participation program to update the Countywide Plan. There have been approximately 100 meetings open to the public regarding the draft Plan. The Planning Commission alone has now completed twenty-two public hearings in order to help finalize the project description to be evaluated in the environmental impact report. Although most of the existing 1994 Countywide Plan has withstood the test of time, the draft Plan has been updated to reflect extensive input from the public (including five working groups) as well as from environmental, housing, economic and legal experts.

DISCUSSION: The following briefly describes several of the key issues proposed in the Draft Countywide Plan and summarizes the Planning Commission's initial recommendations.

I. General Content and Format

- The draft Plan is reorganized into 3 elements - Natural Systems, Built Environment and Socioeconomic
- Sustainability is the overarching theme and a summary of the topic is provided in the introduction
- The draft Plan reflects the recently adopted Marin County Strategic Plan and includes indicators, nonbinding targets, and program implementation charts that identify responsibilities, potential funding, priorities, and timeframes

Initial Commission Direction #1: Improve the Organization of the Plan. The Planning Commission recommended several ways to improve the readability and organization of the Plan including moving information critical to understanding the framework of the Plan to the Introductory Section along with a variety of revisions to the maps and graphics. The Commission agreed to rename the Natural Systems element “Natural Systems and Agriculture”, as well as move the *Mineral Resources* section to the Built Environment Element.

Initial Commission Direction #2: Clarify the definition of sustainability and improve how it links together the various components of the Plan. The Commission continues to be concerned that the three E’s icon will not be able to effectively portray the effect of proposed policies on sustainability or the three E’s. Therefore, the Commission recommends that the three E’s’ icon remain only as a logo, rather than a Venn diagram. The Commission also requests that a paragraph be added to the introduction to further highlight the relationship of the precautionary principle to sustainability.

Additional Options: The 3 E’s Venn diagram could be more closely correlated with the accompanying text and revised to improve the graphic representation of how goals in the draft Plan affect the environment, economy and social equity.

II. Natural Systems Element

- A Baylands Corridor based primarily on the location of historic bay lands is proposed to acknowledge their importance and environmental sensitivity
- Additional prominent ridgelines are protected
- Additional wetland protection and water quality protections are provided
- Climate protection measures are included
- Agriculture is promoted, large estate homes on agricultural lands are restricted, and locally grown, organic food is encouraged

Initial Commission Direction #3 (Biology):

- a. The environmental impact report should assess three options for the Baylands Corridor North of San Rafael: 1) Generally siting the corridor boundaries based on the location of historic bay lands as determined by the San Francisco Estuary

- Institute, and 2) Extending the line landward to Highway 101, and 3) Using the existing railroad tracks.
- b. There was general agreement that small, developed lots with little habitat value should not be subject to as rigid environmental policy requirements for bay lands, wetlands and Streamside Conservation Areas, as larger or undeveloped lots. However, it was not determined to what extent small, developed parcels currently within the boundaries should be exempted.
 - c. The cumulative impacts of development projects on biology, particularly wetlands and habitats should be addressed. Ensure adequate monitoring and minimum mitigation ratios. Clarify how setbacks apply for both Streamside Conservation Areas and wetlands if the lot size is less than .5 acre, or between .5 – 2 acres.

Additional Options: All small, already developed properties (on land) could be excluded from the Baylands Corridor and text added promoting education, technical assistance and stewardship as appropriate measures on these parcels.

Initial Commission Direction #4 (Agriculture):

- a. Consider collection, treatment and reuse of water along with small-scale, sustainable water development to provide for limited agricultural diversification as long as it doesn't degrade environmental resources.
- b. Support both organic and/or locally grown agriculture.
- c. Revise draft language limiting the amount of residential building on agriculturally zoned properties. Residential house size should be limited to 3,000 sq. ft. for the primary residence and allow additional farm family residences at no more than 3,000 sq. ft. each, or a maximum of 6,000 sq. ft. excluding a 540 sq. ft. garage, and farm worker housing. The Commission also decided to require a minimum separation between dwellings to preclude joining separate structures together and making one large house.
- d. Revise the draft language to clarify that buildings directly supporting the agricultural operation on the property, including an office, are not subject to the residential square footage limitation.
- e. Structures may be clustered on more than one location if deemed appropriate for agricultural and/or environmental reasons.
- f. Clarify that the recently adopted development code revisions pertaining to agriculture (such as the clustering of non-agricultural buildings) are also carried forward in the Plan.

Additional Options: Requiring a minimum separation between dwellings and precluding the construction of homes over 3000 sq. ft. in an agricultural designation could be reconsidered. As concerns related to home size and neighborhood character also occur in community areas, a policy and program encouraging consideration of single family home size limitations in community plans could be added to the Built Environmental Element.

III. Built Environment Element

- Most land use designations from the existing Countywide Plan remain, although new commercial/ residential mixed use and planned community designations are proposed
- The maximum theoretical build out for sensitive lands is decreased by 1,800 dwelling units and up to 1800 additional affordable or employee dwelling units are allowed on mixed use and transit oriented sites, resulting in no net change
- The maximum theoretical build out of commercial type uses is reduced by approximately 650,000 sq. ft.
- Infill development and a variety of neighborhood design principles, renewable energy and green building techniques are proposed
- No revisions are recommended to the recently adopted, State certified Housing Element
- Travel demand management techniques and additional transportation choices are proposed emphasizing alternatives to single occupancy automobiles
- The St. Vincent/Silviera properties are designated “Agriculture and Conservation 2” allowing new residences (at a density of one dwelling unit per ten acres, plus up to 100 additional affordable housing units) and a variety of agricultural, institutional, hospitality, personal service, office and educational uses, as well as a senior care facility – clustered on 5% of the land
- The San Rafael Rock Quarry is proposed to be designated “Planned Community” to allow reuse of the property subject to approval of a Specific Plan
- The San Quentin Vision Plan is included in the document and the San Quentin Prison site is also proposed to be designated “Planned Community” to allow redevelopment and reuse of the site, subject to a future State decision to surplus the property, and approval of a Specific Plan

Initial Commission Direction #5 (Community Development.)

- a. Recognize public utility company constraints in order to manage growth instead of automatically providing services for new development.
- b. Clarify that affordable housing is excluded from the requirement to pay for the full cost of all services based on a required study to determine fair share costs.
- c. New policies and programs should be added to create an affordable housing overlay to implement the siting of the banked affordable housing units and to address such issues as minimum densities for multifamily-zoned properties. Limit densities based on site-specific environmental constraints.

Initial Commission Direction #6 (Green Building & Energy.)

- a. Expand the green building section and require certification for new, large residential and non-residential development.
- b. Conduct a study to determine whether to require existing residential and non-residential uses to retrofit or use green building techniques during remodeling.

Initial Commission Direction #7 (Environmental Hazards.)

- a. Add new programs to promote neighborhood-based disaster planning and preparation.
- b. Add additional fire protection policies and programs including a new wild land fire interface ordinance along with coordination among MMWD, P.G. & E and the County for weed clearance.

Initial Commission Direction # 8 (Housing)

- a. Clarify that the existing, state certified Housing Element is incorporated into the Plan.
- b. Add language to another section of the Plan regarding the opportunities for redevelopment and community land trusts and other vehicles to provide affordable housing and the importance of enacting an affordable housing overlay zone.
- c. The introductory section should discuss the certification of the Housing Element.

Initial Commission Direction # 9 (Transportation)

- a. Add a new scenic roadway program.
- b. Strengthen language requiring that new development must concurrently install transit improvements.
- c. Add rent-a-bike and a borrow-a-bike programs.
- d. Address ongoing Southern Marin visitor transportation planning efforts.
- e. Address use of school and shuttle buses for children, seniors and others.
- f. Add language promoting car sharing targeted towards affordable, senior and student housing projects.

Initial Commission Direction # 10 (Public Facilities)

- a. Clarify and expand text regarding septic and well regulations.
- b. Expand water resource section.
- c. Add new policies and programs to discourage privatization of public utilities and address naming practices for public utilities and facilities.

Initial Commission Direction # 11 (Planning Areas)

- a. PA#1. Clarify that for properties within the Baylands Corridor will be subject to the low-end of the density and floor area ratio range. Uses around airport should be airport industry related and the existing mini-storage.
- b. PA#2. Marinwood center should be neighborhood serving and Oakview should include residential only and not office uses. Add text describing residential allowable uses if Industrial, Light and Magic's approved 650,000 sq.ft. expansion off Lucas Road is not developed. Clarify allowable St. Vincent's/Silvera land uses as it pertains to permitting a predominantly affordable senior residential care facility capable of serving up to 350 persons, and that additional "banked" residential units would not be allowed at these sites.
- c. PA#3. Require best management practices at the quarry to address impacts to the neighborhood from the existing use.

- d. PA#4. Add a new policy promoting affordable housing including senior housing on the publicly owned parcel at the Old Ross Hospital site.
- e. PA#5. Summarize the San Quentin Vision Plan but include the background, constraints, and goals. Refer to the entire Vision Plan as a reference document and do not include in the appendix.
- f. PA#6. Address Strawberry Center, Marin City Center, LAFCO and Richardson Bay studies, and Southern Marin transportation plan efforts. Recognize Tam Junction as a gateway to West Marin and encourage residential uses.

Additional Options:

Land uses around the Gness Field airport could be restricted to primarily airport related and existing mini-storages uses. Additional language could be added clarifying the status of the city of San Rafael’s request to LAFCO to remove the St. Vincent/Silviera properties from their sphere of influence and how that pertains to development proposals in the unincorporated area. Clarifying language could also be added that this section of the draft Plan is not intended to preclude or limit future annexation of these properties to the city of San Rafael. Furthermore, flexibility in clustering requirements and the opportunity for requesting additional land uses through the Master Plan process in an Agricultural Residential Planned zoning district could be more fully explained. Rather than deleting the policies and land use diagram regarding San Quentin from the draft Plan (and referring to the Vision Plan as a reference document), the proposed text could be largely retained, but edited to provide a more generalized level of detail more in keeping with a conceptual proposal in a Countywide Plan.

IV. Socio-economic Element

- The attraction and retention of targeted businesses is proposed based on economic, social equity and environmental criteria
- Public health is linked to land use planning and healthy lifestyles
- Ethnic diversity is celebrated
- Emergency and neighborhood based preparedness measures are proposed
- Education and environmental justice are addressed
- Art, cultural and historical resources are identified and promoted
- Parks and recreation policies and programs are included

Initial Commission Direction #12

- a. Economy. Clarify that 89% of Marin employers are small businesses with less than 10 employees. Encourage support of locally owned businesses but not exempting them from transit and daycare fees. Streamline the processing of minor projects and more clearly defining “minor”.
- b. Childcare. Expedite large family daycare permitting processes.
- c. Public Health. Add text regarding second-hand smoke, tobacco use, alcohol use, the need for prenatal care and the health and prescription needs of seniors.

d. Arts and Culture. Expand to capture Marin's remarkable arts and culture scene.

NEXT STEPS: The next step is to revise the draft Countywide Plan in light of the input received from the public, the Planning Commission and the Board of Supervisors and continue with the environmental impact report process. In addition, several hundred letters received by the public are being reviewed and many of the recommendations will be incorporated into the revised Draft Plan. Once a revised draft Plan and draft EIR are completed, additional public hearings will be scheduled before the Planning Commission prior to final action by the Board of Supervisors in late 2005.

FISCAL/STAFFING IMPACT: None

REVIEWED BY:

Auditor Controller
 County Counsel
 Human Resources

N/A
 N/A
 N/A

Respectfully Submitted,

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